

Sovereignty of East Jerusalem: Third Option

The date of declaration of the Palestinian State may be shifted but cannot be delayed for an indefinite period nor can it be stopped. The Palestinians have the right to a State of their own and this has been the view of practically all countries of the world. Even Israel agreed to this and this is why they ceded occupied land to the Palestinians.

Repression on Women

ISNT it ironic that when there is a wave sweeping across the globe for economic emancipation and empowerment of women, we have not yet been able to provide the minimum safety and security for the womenfolk in the country? Still, crime against women continues unabated. In fact, incidences of rape and torture of women have been on the rise. The figures on rape perpetrated over the last three years are ample testimony to that. There have been 733 rapes in 1997, 961 in 1998 and 841 in 1999. In the first six months of the current year, 348 women have been violated, six of them by police personnel.

There are laws all right and tough ones for that matter; but, for want of effective enforcement, these have been reduced to mere words on sheafs of paper. Take the case of Yasmeen, the hapless teen who was brutally raped and murdered in Dinajpur by a group of patrol police in the early hours of August 24, 1995. The culprits have not been punished yet. There are more such instances. Shazneen Tasneem Rahman and Bushra Islam Phool were both hacked to death in the confines of their own bedrooms. The investigation and trial of Shazneen's murder has dragged on for more than two years and could very well continue for few more months, even years. Investigation of Bushra murder is still at a preliminary stage.

Such a condition encourages criminals, for they think they can get away with impunity and they are. Rowshan Ara's predicament has been induced by inert enforcement mechanism. The Union Parishad member of Jangalia in Kishoreganj was raped at her own residence more than a year back. A case filed with the police station has only compounded her woes. She along with her family, and even her lawyer, are being constantly threatened by the accused. Law of the land has provided no refuge for the victim.

The point we are trying to make here is that unless and until there are conclusive trials held and exemplary punishments meted out to the repressors, there would be no end to women's woes. As the incidences of repression on women rise, the helpless plea of the victims would continue to haunt our collective sensibility and sensitivity. Shouldn't the authorities empowered rise to the call of their conscience now?

Transport Fares on Rise

THIS is just another plea for the transport owners to raise the prices of tickets on various routes in north-western region of the country. In the past owners of buses and trucks had increased the fares indiscriminately whenever they got a chance to do so on this ground or that forcing the travelling public to pay through their noses as if they have no other costs of living to incur. The latest hike in fuel prices has been just a fodder to their cannons.

The action of transport owners has also given rise to an unpleasant law and order situation with passengers and bus conductors having altercations on higher fares. The higher fuel prices have touched the lives of almost all people of the country putting an extra pressure on their purse so that they cannot take anymore in the shape of higher travelling costs.

The limited strike in the 21 south-western districts being observed by transport workers and owners is likely to engulf the whole country from next Friday posing immense difficulties and hardships to the travelling people. It is bound to create scarcity of perishable goods and edibles in the market. We criticise the transport owners and workers for their decision to increase the fares whimsically to the disgust of the commuters but that does not mean we support the government decision to raise the fuel prices.

A couple of years back the government pledged to cut back on oil prices if the international prices came down. But they did not keep their promise when it actually happened. Now they have increased the prices on the same plea. A responsible government does not play pranks with the citizens; oil, diesel, kerosene and gas prices must be pegged to levels people can afford as a reflection of good governance and in deference to public welfare.

Distract the Birds

BIRDS hovering the Zia International Airport pose a threat to air safety that could be easily avoided with a little attention paid to the potential hazard. Even after three months' effort, the Civil Aviation Authority of Bangladesh has failed to procure guns for its 10-member team to scare the birds away from the skies above ZIA. Operatively it is the state-owned Trading Corporation of Bangladesh (TCB) that would do the imposition. Bureaucratic redtapism is the reason behind the delay. In recent times, birds hovering the runway have hit a couple of planes. The latest such incident, on Monday last, involved a Biman Airbus A310. Now, this is scary and needs urgent attention.

Birds of prey, especially pariah kites, abound in the airport area which is surrounded by trees and wetlands. These pose a hazard due to sloppy surveillance. The CAAB says, however, that the lease of ponds inside the airport for pisciculture has been cancelled to keep the birds away. That's a piece of good news. But this wrestling with gun procurement and hiring of shooters is putting the passengers' safety at stake.

Bangladesh has been operating international flights for a long time, but it is ironical that a clear cut plan to upgrade the safety standards of the country's biggest airport is still missing. The fewer trees and wetlands there are in the vicinities of an airport the better. Yet they have been allowed to grow near ZIA. What are the authorities doing about it? We urge them to get a move on quickly and make people's journey safe before any casualty occurs.

DESPITE failure of the Camp David talk on Middle East peace, the efforts are on to find an acceptable solution. President Arafat has so far visited more than 20 countries including Bangladesh in about three weeks time to explain Palestinian claim of sovereignty over East Jerusalem. As it seems, there has been an overwhelming support for the Palestinian stand. Indeed, it's not only the Palestinians but the entire Muslim world that has its right over the holy sites of East Jerusalem including Al Aqsa Mosque and the Dome of the Rock though the Israelis claim sovereignty over the entire city of Jerusalem. Any peace talk must keep these in view and try to reach a settlement that can take care of the religious rites and sentiments of both the Muslims and the Jews. This is why the idea of shared sovereignty deserves serious consideration with adequate arrangements for political, administrative and security concerns of both the Palestinians and the Israelis.

Various proposals on the shared sovereignty of East Jerusalem and particularly of the holy sites are on the table. The appropriate solution would be to allow Palestinians to have sovereignty over the occupied area i.e. East Jerusalem including the sites holy to the Muslims and the Israelis to have sovereignty over the Western Wall, the adjacent areas with Israeli population and the Armenian Quarters with appropriate administrative and security arrangements. However, apart from the Biblical consideration about the Israeli claim of sovereignty over Jerusalem including East Jerusalem, a major Israeli fear is that any

form of shared sovereignty over the Walled city would compromise security of Israel and make the Jewish pilgrimage to the Western (Wailing) Wall hazardous. To allay Israeli fear adequate safeguards and arrangements are to be in place. This could probably be taken care of by placing the Muslim holy sites under the special administration of the OIC with the provision to have the Palestinian State as the Custodian. As the Palestinians would share sovereignty, they should have the right to fly the Palestinian State flag over the Muslim religious sites. Israelis should also fly their State flag over their religious sites.

OIC has long been seized with the task of finding an appropriate solution for the holy city of Jerusalem - the Al-Quds. The Al Quds Committee of the OIC is reportedly going to meet again in Rabat on August 28. Undoubtedly Palestinians will be represented there at the appropriate level and the meeting will surely pursue Muslim World's claim on the city of Al-Quds. It is also expected that the peace summit sponsored and chaired by President Clinton himself would again meet soon to give peace another chance.

The idea of constructing a bridge from a specified Palestinian area to the holy sites sounds preposterous. Once the peace agreement is reached and implemented, the Palestinians and the Israelis should be encouraged to move freely to reach their holy sites without any harassment from any side. There

could be some initial difficulties but once things settle down and sentiments subside, the people would learn to live as good neighbours and perform their religious rites side by side.

East Jerusalem was occupied by Israel and thus remains as the occupied territory. According to the UN resolution Israel must vacate all occupied territories and therefore there is no scope for the Israelis to claim sovereignty over the occupied land. Such a claim of exclusive sovereignty over East Jerusalem is also totally un-

In other words, the Children of Israel shared sovereignty that belonged to the people who lived there already. So even now they should have no problem to share the sovereignty with the descendants of the same people - the people of Palestine. There is nothing new in it as Israel never had any exclusive sovereignty over the land of Palestine and its cities including Jerusalem.

Indeed, the Jews were the "wondering people" and returned to the land of their ancestors to find a "Home" in

Unilateral Declaration

In my earlier comment (The Daily Star, Aug. 9) I said: "In the Camp David... the peace should be given another chance. This is why Arafat may like to delay his unilateral declaration of Palestinian State. Any unilateral declaration without exhausting all the possibilities... may not be considered good by many and may create unnecessary diplomatic problems for the Palestinians."

It's good to learn that the earlier decision for the unilateral declaration is being reviewed now. President Arafat, while in Indonesia, said that he had received advice from the European community and the US in the matter and would wait for the decision of the Palestinian Central Council on the issue and the Council would meet in the first part of September, 2000. He also emphasized that the peace negoti-

ations must be completed by September 13. The date of declaration of the Palestinian State may be shifted but cannot be delayed for an indefinite period nor can it be stopped. The Palestinians have the right to a State of their own and this has been the view of practically all countries of the world. Even Israel agreed to this and this is why they ceded occupied land to the Palestinians. This was repeated by Prime Minister Barak very recently but he said Palestinians, before such declaration, would have to end their hostilities to the State of Israel. President Arafat said he could not do so unless Jerusalem issue where all Muslims and Christians are directly involved was amicably resolved. Therefore, it is now up to Israel to come forward and show some flexibility on East Jerusalem if any peace is to be achieved in the region.

Dennis Ross is already in the region and has been having series of talks with a view to reducing the gap that still exists between Palestinians and the Israelis on various important issues and particularly East Jerusalem. As soon as some progress is achieved, another summit would take place. Next few weeks are, undoubtedly, very crucial for Mid-East peace. The situation may turn totally uncertain from November next. Therefore, both President Arafat and Prime Minister Barak must grab the opportunity that is at hand now; it must not be allowed to slip by. Blindly sticking to the Biblical words of "promised land" even on an occupied territory like East Jerusalem may satisfy sentiments of some radicals but cannot guarantee security to the Israelis. Only peace can do so and that needs flexibility from both sides.



Spotlight on Middle East Muslehuddin Ahmad

alistic as Israelis do not go to Al Aqsa Mosque to pray. Since the holy sites belong to the people of the Muslim world and the Arabs have been living there since time immemorial, Israeli claim of sovereignty over East Jerusalem appears unsound even historically. I would repeat what I said in my earlier comments. The "biblical promised land" for the Children of Israel who migrated to the land of Canaan from Egypt with Moses during Pharaoh's time obviously meant home for them, but the sovereignty belonged to those who already lived there as the Land of Canaan was not without people.

Palestine. This is what was declared by Theodore Harzi, the father of Zionism, at the first Jewish conference in Basle in 1897. They "adopted a formal programme whose objective was the establishment for the Jewish people of a home in Palestine" secured by public law (ref. The Gun and the Olive Branch). Now instead of a home they now have a State in the land of Palestine, which may be recognised by the Arab States once the peace agreements are concluded by Israel with the respective Arab States. The very recognition of the Israeli State in the midst of the Arabs is a significant victory for the Is-

Supplementary Report of Hamoodur Rahman Commission: Some Relevant Extracts

First Instalment

Although the report we begin reproducing from today is 'supplementary' to the 'Main Report' Hamoodur Rahman Commission had submitted to Pakistan Government in July, 1972, it has an importance of its own derived from its conclusive nature. This is because of the fact that the conclusions reached in the Supplementary Report were based on the versions recorded from key players in the then East Pakistan on their return from India where they were held as POWs when the 'Main Report' had been 'tentatively' submitted to government. Moreover, with the main report in the cold storage during the last 28 years - apparently for reasons of sensitivity - the supplementary report as leaked through the internet is the only text we have by way of a view from inside of the pernicious events in 1971.

That the leakage has triggered a demand in Pakistan for an early release of the full report bodes well for information dissemination. The people of Pakistan would at least get some idea of the army atrocities committed in the then East Pakistan if the main report saw daylight.

We would like to warn our readers though that the Hamoodur Rahman Commission's report however scathing it may have been on the Pak Armed Force's role is still a Pakistani view of the episode. And we also note with regret that they have ignored the fact of genocide committed on our people, the macabre massacre of our intellectuals and the mass rape of women in the then East Pakistan.

The Moral Aspect

IN the Main Report, we have dealt at some length with the moral aspect of the causes of our defeat in the 1971 War. This became necessary in view of the vehement assertions made before the Commission by a large number of respectable witnesses drawn from various sections of society, including highly placed and responsible Service Officers, to the effect that due to corruption arising out of the performance of Martial Law duties, lust for wine and women and greed for lands and houses, a large number of senior Army Officers, particularly those occupying the highest positions, had not only lost the will to fight but also the professional competence necessary for taking the vital and critical decisions demanded of them for the successful prosecution of the war. It was asserted by these witnesses that men given to a disreputable way of life could hardly be expected to lead the Pakistan Army to victory.

After analysing the evidence brought before the Commission, we came to the conclusion that the process of moral degeneration among the senior ranks of the Armed Forces was set in motion by their involvement in Martial Law duties in 1958, that these tendencies reappeared and were, in fact, intensified when Martial Law was imposed in the country once again in March 1969 by General Yahya Khan, and that there was indeed substance in the allegations that a considerable number of senior Army Officers had not only indulged in large scale acquisition of lands and houses and other commercial activities, but had also adopted highly immoral and licentious ways of life which seriously affected their professional capabilities and their qualities of leadership.

We then offered specific comments on the conduct of certain high officers including the Commander, Eastern Command, Lt. Gen. AAK Niazi. However, we observed that as we have not had the opportunity of putting these allegations to Lt. Gen. AAK Niazi any finding in this behalf must await his return from India where he is at present held as a prisoner of war. We have now examined not only Lt. Gen. Niazi but certain other witnesses as well in relation to his personal conduct, and the general allegations made against the Pakistan Army during its operations in the former East Pakistan, and are accordingly in a position to formulate our final

Effect of Martial Law Duties

In the situation that developed after the military action of the 25th of March 1971, the civil administration in East Pakistan practically came to a standstill, and the burden of running the Province fell heavily upon the Army Officers. Their involvement in civil administration continued unabated even after the induction of a sizeable number of senior civil servants from West Pakistan, including the Chief Secretary, the Inspector General of Police and at least two Division Commissioners.

According to the Inspector General of Police, Mr. M.A.K. Chaudhry (Witness No. 219), "after the disturbances of March-April 1971, there was a Military Governor with a Major General as his adviser at the head of the civil administration. There was a parallel Martial Law administration at all levels. All wings of administration, relating to law and order were under the control of Martial Law Authorities. A West Pakistan Deputy Inspector General of Police in the field was not permitted by the local Martial Law Authorities to come to the Provincial Headquarters" for a conference with the Inspector General of Police. In the view of Syed Alamdar Raza (Witness No. 226), Commissioner of Dacca Division, "efforts were made to make civilian officers responsible or at least routine matters within the general supervision and control of the Army Officers, but no substantial results could be achieved. Those Bengali Offi-

cers who had been restored lacked confidence and were not sure if their loyalties were not suspected. Action was taken against them, even their arrests were ordered without any body knowing about it, including their superiors or the Government of East Pakistan."

The Army's involvement in civil administration did not come to an end even with the installation of a civilian governor (viz. Dr. A.M. Malik), and the ministers appointed by him. The observations made in this behalf by Maj. Gen. Rao Farman Ali (Witness No. 284), who held the appointment of Maj. General (Civil Affairs) in the governor's Secretariat are worth quoting: "A fully civil government could not be formed in East Pakistan as had been announced by the ex-President. Dr. Malik an old man and politician, had a weak personality. He could not annoy the Martial Law Administrator (Lt. Gen. A.A.K. Niazi) also because of the unsettled conditions obtaining in the Wing Gen. Niazi, on the other hand, cherished and liked power, but did not have the breadth of vision or ability to understand political implications. He did not display much respect for the civilian Governor..... The Army virtually continued to control civil administration."

The impression created on the minds of the West Pakistani civilian officials, then serving in East Pakistan, has been stated thus by Mr. Mohammad Ashraf, (Witness No. 275), former Additional Deputy Commissioner, Dacca: "The installation of a civilian governor in



The Black Night of 25 March 1971: Pakistani troops swooped down on the unarmed people of Dhaka, beginning a long period of savage killing, torture and destruction. Photo courtesy: Dhaka 1948-1971/Bangladesh Shilpakala Academy

September 1971 was merely to hoodwink public opinion at home and abroad. Poor Dr. Malik and his ministers were figureheads only. Real decisions in all important matters still lay with the Army. I remember the first picture of the new Cabinet, Maj. Gen. Rao Farman Ali was prominently visible sitting on the right side of the Governor, although he was not a member of the Cabinet."

This impression is fortified by the fact that at a later stage even the selection of candidates for the by-elections ordered by General Yahya Khan was made by Maj. Gen. Rao Farman Ali. Lt. Gen. Niazi and some of his subordinate Martial Law Administrators have no doubt claimed that they allowed full liberty of ac-

tion to the civilian officials at various levels, but even they have conceded that in the peculiar situation prevailing in East Pakistan after the military action the Army necessarily continued to be deeply concerned with the maintenance of law and order, the restoration of communications and the revival of economic activity in the Province.

The evidence of Officers repatriated from India leaves no doubt that this extensive and prolonged involvement of the Pakistan Army in Martial Law duties and civil administration had a disastrous effect on its professional and moral standards. According to Brig. M. Saleemullah, who was commanding 203 (A) Brigade in East Pakistan, "prolonged commitment on Martial Law duties and intermittent security roles had affected the professional standards of the Army." According to Rear Admiral M. Sharif (Witness No. 283) who was the Flag Officer Commanding the Pakistan Navy in East Pakistan, "the foundation of this defeat was laid way back in 1958 when the Armed Forces took over the country. While learning the art of politics in this newly assigned role to themselves, they gradually abandoned their primary function of the art of soldiering, they also started amassing wealth and usurping status for themselves." Similar views were expressed before us by Commodore I.H. Malik (Witness No. 272) who was the Chairman of the Chittagong Port Trust until the day of surrender, Brigadier S.S. Qasim, former Commander Artillery, Eastern Command, Col. Mansoorul Haw Malik, former GS-I, 9 division, East Pakistan, and Col. Ijaz Ahmad (Witness No. 247) former Colonel Staff (GS) Eastern Command, to mention only a few.

The fresh evidence coming before the Commission has

thus served only to reinforce the conclusions reached by us in the Main Report that the involvement of the Pakistan Army in Martial Law duties and civil administration had a highly corrupting influence, seriously detracting from the professional duties of the Army and affecting the quality of training which the Officers could impart to their units and formations, for the obvious reason that they did not have enough time available for this purpose, and many of them also lost the inclination to do so.

Living off the Land

A new aggravating factor made its appearance in East Pakistan in the wake of the military action of the 25th of March 1971, when units of the Pakistan Army undertook "sweep operations" throughout the Province to deal with the Awami League insurgents. The Army had to go out into the countryside without adequate logistic arrangements, and was compelled, at least in the early stages of its operations to take its requirements of foodgrains and other essential supplies from civilian sources. Unfortunately, however, the practice appears to have persisted even when it became possible to make proper logistic arrangements. There is evidence to the effect that civilian shops and stores were broken into by the troops without preparing any record of what was taken and from where. The need for commandeering vehicles, foodstuff, medicines and other essential supplies can certainly be appreciated, but this should have been done under a proper method of accounting so that compensation could be paid on return of normal conditions. As no such procedure was adopted, it led to a general feeling among the troops, including their officers that they were entitled to take whatever they wanted from wherever they liked. This appears to us to be the genesis of the looting alleged to have been indulged in by the Army in East Pakistan.

In the early stages this method of procurement seems to have been encouraged by senior commanders, including Lt. Gen. Niazi, whose remarks on the very first day of his taking over command from Gen. Tikka Khan have already been quoted by us in an earlier chapter. "What have I been hearing about shortages of rations? Are not there any cows and goats in this country? Get what you want. This is what we used to do in Burma," (vide Maj. Gen. Rao Farman Ali's Evidence). Gen. Niazi did not, of course, accept having made any such statement and asserted that "whatever we took we gave a chit so that civil government should pay for that." This assertion is not supported by other officers. On the contrary, some officers like Lt. Col. Bukhori, (Witness No. 244) have made a positive statement that even written orders were received by them emanating from the Eastern Command to live off the land during sweep operations.

However, at a later stage the Eastern Command and the divisional Commanders issued strict instructions in an effort to stop such practices, and some Commanders caused searches to be carried out of the barracks occupied by the troops for the recovery of looted material which included television sets, refrigerators, typewriters, watches, gold, jewellery and other attractive items. We were informed that in several cases disciplinary action was initiated but the cases could not be finalised for one reason or the other. On 16th of December 1971,

Second instalment appears tomorrow.

To the Editor

Biman clarifies

Sir, Here is Biman's clarification on the seemingly "apparent discrepancy between the sequential number and manufacture date of the aircraft" sought by you through the editorial of The Daily Star dated, the 24th August, 2000.

The aircraft Manufacturer's Serial Number (MSN) and Production Dates are determined on the basis of the date on which order is placed for the manufacture of the aircraft and the delivery schedule of the aircraft, respectively. Since the delivery schedule of the aircraft case may vary from buyer to buyer the correlation of MSN and Production Date do not necessarily remain the way we perceive it to be so MSN is assigned as soon as the order is placed by a buyer, but the aircraft will receive a Date of Production when it is delivered after the test flight. A group of aircraft may be ordered together all receiving MSN in sequence but these may be delivered over a period of 2-3 years

all receiving widely different dates of production. The example of Biman's own fleet of DC-10-30 will show such seeming anomaly e.g. MSN 46993 Nov '78; MSN 46995 Mar '79; MSN 47817 Nov '78.

The DC-10-30 which joined Biman on dry lease earlier is of MSN 46543 Sept '80. The one being currently negotiated for dry lease is of MSN 46542 July '79.

As regards CAAB restriction on new procuring aeroplanes older than 15 years it is obviously meant for start up carriers i.e. Airlines starting now. For Biman this restriction is upto the age of its own fleet of the type. Since Biman owns and operates two of the DC-10-30s of Nov '78 vintage, there is no harm possessing DC-10-30 on dry lease which is of July '79 vintage.

As regards your reference to the recent Concord crash; we are sorry to note your reference to its age, which they imply clarified, was definitely not the cause of the crash. Then, what about MD-11 crash of Swiss

Air, a few months ago, and the less than six years old Airbus 320 crash of Gulf Air on 23 Aug 2000? It is never the age but only the technical fitness of the aircraft which has to be ensured; Biman's Quality Assurance Deptt. and CAAB are just doing the same.

Anwar Hossain Khan General Manager Corporate Affairs and Incharge Public Relations Biman Bangladesh Airlines

Telephone courtesy

Sir, With the beginning of the new millennium almost in every sphere of life we have started to identify our achievements over the last 1000 years. Basically we, Bengalis are of agrarian background and may be because of this reason we hardly observe any improvement in our way of life. Although now a days a substantial number of people live in the urban areas and are familiar with

high-tech comforts of life but courtesy is one thing that is very much absent in and around our society. One such area is telephonic conversation. Often it is observed that the caller is questioned by the receiver to provide his name and other information only to reply that the person the caller is looking for is not available. In all civilised society this is considered a height of discourtesy. In any civilised world if you make a call any one receiving immediately reply the whereabouts of the person you are looking for and if unavailable will enquire whether the caller would like to leave a message. When we are claiming our achievements over the last 1000 years in spite of our agrarian background can we not expect little bit of courtesy while replying telephone calls by not keeping the caller hanging and inquiring his personal details only to get the reply afterwards that the person concerned is not available?

D. M. Khan Dhaka